

House Elections & Campaign Finance Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2302

House Bill No. 2061*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-10-108, is amended by deleting subsections (b) and (c) and substituting instead:

(b) All sworn complaints on a statement of a candidate for state public office or a statewide political campaign committee must be filed in the office of the registry of election finance.

(c) All sworn complaints on a statement of a candidate for local public office or a local political campaign committee must be filed in the office of the district attorney general who represents the judicial district in which the voter resides.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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House Elections & Campaign Finance Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2229*

House Bill No. 2336

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-2-116, is amended by adding the following as a new item on the permanent registration record:

13. Political Party Affiliation (if any) _____

SECTION 2. Tennessee Code Annotated, Section 2-2-116, is amended by designating the existing language as subsection (a) and adding the following new subsections:

() A county election commission is not required to immediately order new registration forms that include a space to indicate the voter's political party affiliation pursuant to SECTION 1 and may exhaust all existing supplies of registration forms.

() A voter may request the county election commission to add the voter's political party affiliation to a permanent registration record in use prior to the effective date of this act. The voter shall initial the addition after the election commission staff writes the party affiliation on the permanent registration record.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.



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House Elections & Campaign Finance Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 1461

House Bill No. 1004*

by deleting the effective date section and substituting the following:

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it.

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Date _____
Time _____
Clerk _____
Comm. Amdt. _____



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Amendment No. _____

Signature of Sponsor

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Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2519

House Bill No. 2642*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 2-10-102(4), is amended by deleting the language "digital currency" and substituting "digital currency, including cryptocurrencies built on a blockchain".

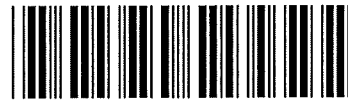
SECTION 2. Tennessee Code Annotated, Section 2-10-114(b), is amended by adding the following new subdivision (b)(3) and renumbering the existing subdivision accordingly:

(3) A non-fungible token distributed by a candidate for public office in this state is a lawful campaign expenditure and not a personal expenditure as long as the digital file contained within the token is directly related to the campaign of the candidate. As used in this subdivision (b)(3), "non-fungible token" means a cryptographic asset on a blockchain with unique identification codes and metadata that distinguish them from each other, and that is encoded with a unique digital photograph, video, or audio file.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1929*

House Bill No. 1977

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 9, is amended by adding the following as a new section:

(a) This section is known and may be cited as the "Voter Confidence Act of 2022".

(b) On and after the effective date of this act, a county election commission purchasing or leasing a voting system shall ensure that the system produces a voter-verifiable paper audit trail.

(c) A voter-verifiable paper audit trail must not include the identity of the voter.

(d) Each county election commission shall preserve each voter-verifiable paper audit trail as a paper ballot pursuant to § 2-8-108 and, notwithstanding § 2-8-101(b), use each voter-verifiable paper audit trail in a recount of ballots.

(e) At the request of a county election commission, the state coordinator of elections shall provide to the commission necessary assistance and guidance in the selection of a voting system pursuant to the requirements of this section. To the extent federal funding through the federal Help America Vote Act (HAVA) (42 U.S.C. §§ 15301 et seq.) remains available for the cost of purchasing or leasing new voting systems or for upgrading existing voting systems, the coordinator shall provide financial assistance for purchasing, leasing, or upgrading such systems.

(f) As used in this section, "voter-verifiable paper audit trail" means:



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(1) A paper ballot marked by hand or marked by a device that is made available for inspection and verification by the voter at the polling location; or

(2) A record contemporaneously printed at the time a voter casts a ballot using a direct recording electronic system that is made available for inspection and verification by the voter at the polling location.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.

House Elections & Campaign Finance Subcommittee Am. #1

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Comm. Amdt. _____

AMEND Senate Bill No. 2230*

House Bill No. 2337

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-1-112(a), is amended by adding the following as a new subdivision:

(4) This section does not disqualify an employee of a county or city school system who does not work directly under the supervision of an elected official from serving as a member of the county election commission.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

FILED

Date _____

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Comm. Amdt. _____

AMEND Senate Bill No. 1375

House Bill No. 1125*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-5-101, is amended by adding the following as a new subsection:

() If a candidate in a nonpartisan judicial general election, after the qualifying deadline, is appointed to another judicial office or nominated by a political party under § 2-13-204(a) for another judicial office and within three (3) business days of such appointment or nomination withdraws from the nonpartisan judicial general election, leaving no candidates for the office on the ballot, additional candidates may qualify for the election by filing their petitions as provided by law no later than twelve o'clock (12:00) noon, prevailing time, on the fifty-fifth day before the election. There is no withdrawal period for the additional candidates under this subsection ().

SECTION 2. Tennessee Code Annotated, Section 2-13-204(a), is amended by deleting the subsection and substituting instead the following:

(a)

(1) A political party may nominate a new candidate by any method under § 2-13-203, if the political party's candidate for an office:

(A) Dies;

(B) Withdraws because:

(i) Of a military call-up for the draft;

(ii) Of a physical or mental disability, with such physical or mental

disability being properly documented by competent medical authority;



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(iii) The candidate is forced to change residence by the candidate's employer for a job-related reason; or

(iv) A judicial candidate is appointed to another judicial office or nominated under this subsection for another judicial office; or

(C) Is declared ineligible or disqualified by a court.

(2) A political party's candidate may withdraw for reasons other than those stated in subdivision (a)(1), but the political party may make no further nomination for the position in question.

SECTION 3. Tennessee Code Annotated, Section 2-13-204(c), is amended by deleting the subsection and substituting instead the following:

(c) No later than twelve o'clock (12:00) noon, prevailing time, on the fifty-fifth day before the election, the chair of the party's state executive committee shall file with the county election commission of each county in which the nominee is a candidate a written statement of the name of the new nominee. If an event allowing a new nomination occurs within five (5) days of the fifty-fifth day, the time for making a new nomination is twelve o'clock (12:00) noon, prevailing time, on the fifth day following the death, withdrawal, or declaration of ineligibility or disqualification.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

House Elections & Campaign Finance Subcommittee Am. #2

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2267

House Bill No. 2121*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-2-140(a)(1), is amended by adding the language "in accordance with SECTION 2" immediately after "effort to enter into agreements with other states".

SECTION 2. Tennessee Code Annotated, Section 2-2-140, is amended by adding the following new subsection:

() The state coordinator of elections shall not enter into an agreement with other states or contract with an entity for the purposes of list maintenance if that agreement or contract requires documents related to list maintenance to be withheld from public inspection.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2711

House Bill No. 2813*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1.

(a) The secretary of state shall conduct a study into the use of student identification cards for the purposes of voting. The study must include a description of legitimate security concerns and benefits regarding the use of student identification cards for voting and recommendations for changes to student identification cards that could be implemented to allow the use of student identification cards for voting. In developing the report, the secretary of state shall consult with the following entities:

- (1) The Tennessee higher education commission;
- (2) The Tennessee board of regents;
- (3) The University of Memphis;
- (4) Tennessee State University;
- (5) The University of Tennessee;
- (6) The Tennessee Independent Colleges and Universities Association;

and

- (7) The department of safety.

(b) The secretary of state shall conduct the study required by subsection (a) within the existing resources of the office of the secretary of state.

(c) The secretary of state shall file the report required by subsection (a) on or before January 31, 2023, with the following:



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- (1) The education administration committee of the house of representatives and the education committee of the senate;
- (2) The senate state and local government committee;
- (3) The state government and local government committees of the house of representatives;
- (4) The joint government operations committee;
- (5) The department of safety;
- (6) The comptroller of the treasury; and
- (7) The office of research and education accountability.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2059*

House Bill No. 2159

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 2-7-111, is amended by adding the following language as a new subsection:

() In a polling place where precinct-based optical scanners are utilized, the election commission shall post instructions stating, "Please check the recorded votes on your ballot before inserting into scanner."

SECTION 2. Tennessee Code Annotated, Section 2-20-103(a)(1), is amended by adding the following language as a new subdivision:

(E) At the same time the machines are inspected under § 2-9-105, the machine technicians shall certify in writing that the proper firmware is loaded on each unit of voting equipment and that the system settings are correct.

SECTION 3. Tennessee Code Annotated, Title 2, Chapter 20, is amended by adding the following as a new section:

(a)

(1) Following each election in a county having a population of not less than two hundred forty-seven thousand seven hundred (247,700) nor more than two hundred forty-seven thousand eight hundred (247,800), according to the 2020 federal census or a subsequent federal census, the county election



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commission shall, in accordance with this section, conduct automatic mandatory audits of the voter-verified paper ballots cast in each election conducted in 2022.

(2) After the November 2022 election, the county election commission shall audit ballots for the governor in a gubernatorial election. The county election commission may select one (1) or more additional races to be audited.

(3) After the August 2022 and May 2022 elections, the county election commission shall audit ballots for the contested election to the highest countywide office. The county election commission may select one (1) or more additional races to be audited.

(4) For any other election, the county election commission shall select one (1) or more races in which more than one (1) candidate is running to be audited.

(b)

(1) The county election commission shall prepare to conduct the audit in the following manner:

(A) Prior to each election, the county election commission shall first assure that each precinct-based optical scanner used to count absentee by-mail ballots, early voting ballots, and election day ballots have been cleaned of debris;

(B) At the same time the machines are inspected under § 2-9-105, the machine technicians shall certify in writing that the proper firmware is loaded on each unit of voting equipment and that system settings are correct; and

(C)

(i) The county election commission shall randomly select at least one (1) precinct-based optical scanner from a convenience voting center in the county; and

(ii) The county election commission shall randomly select at least one (1) precinct to audit the absentee by-mail ballots cast in the precinct.

(2) No later than the day after the election and at a place open to the public, the county election commission shall randomly select the voting convenience center or centers, as appropriate, and shall select at least one (1) precinct-based optical scanner used to count ballots during early voting to be used for the automatic mandatory audit and shall announce to the public the results of the random drawing. The method of random selection used by the county election commission must ensure that all voting precincts in the county and all precinct-based optical scanners used to count ballots cast during early voting have an equal chance of being selected. The county election commission shall give public notice at least forty-eight (48) hours prior to the audit being conducted.

(c)

(1) After the unofficial election results, excluding provisional ballots, have been determined and made public, a county election commissioner from the majority party and a county election commissioner from the minority party shall have all absentee by-mail ballots, all ballots cast during the early voting period, and all ballots cast on election day locked and secured until the county election commission convenes to conduct the audit. The county election commission

shall also lock and secure each precinct-based optical scanner used in the election process until the county election commission convenes to conduct the audit.

(2) Before the election is certified, the automatic audit must be conducted in the following manner:

(A) At a time and place open to the public, the county election commission shall identify the ballot boxes containing the absentee by-mail ballots cast in the randomly selected voting precinct or precincts and identify the ballot boxes containing the election day ballots cast in the randomly selected convenience voting center or centers. The election commission shall include in the audit only those absentee by-mail ballots that were counted by a precinct-based optical scanner rather than by hand. A county election commissioner from the majority party and a county election commissioner from the minority party, personally holding the keys to such ballot box or boxes, shall unlock the ballot box or boxes;

(B) The election commission shall identify and remove from the respective ballot box or boxes each ballot cast in the absentee by-mail voting process in the selected precincts that were counted by a precinct-based optical scanner and each ballot cast on election day in the selected convenience voting center or centers;

(C)

(i) In auditing the precinct-based optical scanner that had been used to originally count the early voting voter-verified paper ballots, the county election commission shall remove the early

voting ballots contained in the ballot box of the precinct-based optical scanner and shall verify the accuracy of the unofficial election results by hand counting the ballots;

(ii) In auditing the absentee by-mail ballots which were counted by a precinct-based optical scanner, the county election commission shall take the absentee by-mail ballots from the randomly selected voting precinct or precincts and shall verify the accuracy of the unofficial election results by hand counting the absentee by-mail ballots;

(iii) In auditing the election day ballots, the county election commission shall take the election day ballots from the randomly selected voting precinct or precincts and shall verify the accuracy of the unofficial election results by hand counting the ballots; and

(iv) To judge the accuracy of the unofficial election results, the county election commission shall compare the results obtained during the automatic audit with the unofficial election results obtained on election night;

(D)

(i) If as a result of the automatic audit, the county election commission finds that there is a variance of more than one percent (1%) between the unofficial election results and the automatic audit, the county election commission shall randomly select at least one (1) precinct-based optical scanner from two (2) additional convenience voting centers in the county. The county election

commission must identify the ballot box or boxes from the subject convenience voting centers, obtain the ballots out of those ballot boxes, and then hand count the ballots;

(ii) If all of the ballots in a race are counted as part of the manual hand count audit, the results of the hand count audit shall be used as the official results to be certified by the county election commission; and

(iii) The results of a difference between precinct-based optical scanner tabulations or the hand count audit must be available for use in any election contest filed pursuant to chapter 17 of this title; and

(E) The county election commission shall report the results of the 2022 hand count election audit pilot to the coordinator of elections and make the report available to the public.

(d) This section is deleted on January 1, 2023, and will no longer be effective on and after that date.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2675

House Bill No. 2585*

by deleting the language of subdivision (a)(1) in SECTION 3 and substituting the language:

(1) Starting with the first election in 2024, the secretary of state shall randomly select county election commissions that must conduct an audit after each August and November election.

AND FURTHER AMEND by deleting subdivision (a)(4) in SECTION 3 and renumbering the remaining subdivisions accordingly.

AND FURTHER AMEND by adding the following language as a new subsection in SECTION 3:

(d) At the same time the machines are inspected under § 2-9-105, the machine technicians shall certify in writing that the proper firmware is loaded on each unit of voting equipment and that system settings are correct.

AND FURTHER AMEND by adding the following new sections immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Title 2, Chapter 20, is amended by adding the following language as a new section:

In any polling place where precinct-based optical scanners are utilized, the election commission shall post instructions stating, "Please check the recorded votes on your ballot before inserting into scanner."

SECTION __. Tennessee Code Annotated, Title 2, Chapter 20, is amended by adding the following as a new section:

(a)



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(1) Following each election in a county having a population of not less than two hundred forty-seven thousand seven hundred (247,700) nor more than two hundred forty-seven thousand eight hundred (247,800), according to the 2020 federal census or a subsequent federal census, the county election commission shall, in accordance with this section, conduct automatic mandatory audits of the voter-verified paper ballots cast in each election conducted in 2022.

(2) After the November 2022 election, the county election commission shall audit ballots for the governor in a gubernatorial election. The county election commission may select one (1) or more additional races to be audited.

(3) After the August 2022 and May 2022 elections, the county election commission shall audit ballots for the contested election to the highest countywide office. The county election commission may select one (1) or more additional races to be audited.

(4) For any other election, the county election commission shall select one (1) or more races in which more than one (1) candidate is running to be audited.

(b)

(1) The county election commission shall prepare to conduct the audit in the following manner:

(A) Prior to each election, the county election commission shall first assure that each precinct-based optical scanner used to count absentee by-mail ballots, early voting ballots, and election day ballots have been cleaned of debris;

(B) At the same time the machines are inspected under § 2-9-105, the machine technicians shall certify in writing that the proper firmware is loaded on each unit of voting equipment and that system settings are correct; and

(C)

(i) The county election commission shall randomly select at least one (1) precinct-based optical scanner from a convenience voting center in the county; and

(ii) The county election commission shall randomly select at least one (1) precinct to audit the absentee by-mail ballots cast in the precinct.

(2) No later than the day after the election and at a place open to the public, the county election commission shall randomly select the voting convenience center or centers, as appropriate, and shall select at least one (1) precinct-based optical scanner used to count ballots during early voting to be used for the automatic mandatory audit and shall announce to the public the results of the random drawing. The method of random selection used by the county election commission must ensure that all voting precincts in the county and all precinct-based optical scanners used to count ballots cast during early voting have an equal chance of being selected. The county election commission shall give public notice at least forty-eight (48) hours prior to the audit being conducted.

(c)

(1) After the unofficial election results, excluding provisional ballots, have been determined and made public, a county election commissioner from the majority party and a county election commissioner from the minority party shall have all absentee by-mail ballots, all ballots cast during the early voting period, and all ballots cast on election day locked and secured until the county election commission convenes to conduct the audit. The county election commission shall also lock and secure each precinct-based optical scanner used in the election process until the county election commission convenes to conduct the audit.

(2) Before the election is certified, the automatic audit must be conducted in the following manner:

(A) At a time and place open to the public, the county election commission shall identify the ballot boxes containing the absentee by-mail ballots cast in the randomly selected voting precinct or precincts and identify the ballot boxes containing the election day ballots cast in the randomly selected convenience voting center or centers. The election commission shall include in the audit only those absentee by-mail ballots that were counted by a precinct-based optical scanner rather than by hand. A county election commissioner from the majority party and a county election commissioner from the minority party, personally holding the keys to such ballot box or boxes, shall unlock the ballot box or boxes;

(B) The election commission shall identify and remove from the respective ballot box or boxes each ballot cast in the absentee by-mail voting process in the selected precincts that were counted by a precinct-based optical scanner and each ballot cast on election day in the selected convenience voting center or centers;

(C)

(i) In auditing the precinct-based optical scanner that had been used to originally count the early voting voter-verified paper ballots, the county election commission shall remove the early voting ballots contained in the ballot box of the precinct-based optical scanner and shall verify the accuracy of the unofficial election results by hand counting the ballots;

(ii) In auditing the absentee by-mail ballots which were counted by a precinct-based optical scanner, the county election commission shall take the absentee by-mail ballots from the randomly selected voting precinct or precincts and shall verify the accuracy of the unofficial election results by hand counting the absentee by-mail ballots;

(iii) In auditing the election day ballots, the county election commission shall take the election day ballots from the randomly selected voting precinct or precincts and shall verify the accuracy of the unofficial election results by hand counting the ballots; and

(iv) To judge the accuracy of the unofficial election results, the county election commission shall compare the results obtained during the automatic audit with the unofficial election results obtained on election night;

(D)

(i) If as a result of the automatic audit, the county election commission finds that there is a variance of more than one percent (1%) between the unofficial election results and the automatic audit, the county election commission shall randomly select at least one (1) precinct-based optical scanner from two (2) additional convenience voting centers in the county. The county election commission must identify the ballot box or boxes from the subject convenience voting centers, obtain the ballots out of those ballot boxes, and then hand count the ballots;

(ii) If all of the ballots in a race are counted as part of the manual hand count audit, the results of the hand count audit shall be used as the official results to be certified by the county election commission; and

(iii) The results of a difference between precinct-based optical scanner tabulations or the hand count audit must be available for use in any election contest filed pursuant to chapter 17 of this title; and

(E) The county election commission shall report the results of the 2022 hand count election audit pilot to the coordinator of elections and make the report available to the public.

(d) This section is deleted on January 1, 2023, and will no longer be effective on and after that date.